



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Ely Field Office
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Ely, Nevada 89301-9408
<http://www.nv.blm.gov/ely>



In Reply Refer To:
9214 (NV-044)

Decision Memorandum on Action and for Application of: Categorical Exclusion 1.12

Williams Creek Sagebrush Restoration Project

**United States Department of the Interior
Bureau of Land Management
Ely Field Office
White Pine County, Nevada**

Purpose and Need for the Action and Description of the Proposed Action

The purpose and need for the Williams Creek Sagebrush Restoration Project is to: 1) create a fuel break to reduce potential damage from catastrophic fire; 2) improve Fire Regime Condition Class (FRCC) from current rating of FRCC 3 to FRCC 1; 3) improve habitat for sage grouse and other wildlife species by increasing understory forbs and grasses, and creating a more diverse sagebrush structure.

The area identified for treatment occurs in South Steptoe Valley near the Williams Creek area along the east side of the Egan Range, approximately 25 miles south of Ely, Nevada. The area lies within the Williams Creek Native Pasture of the White Rock Allotment. The proposed project treatment area (Map 1) is located at the following legal land descriptions:

Township 13 North, Range 63 East, Sections 12 and 13
Township 13 North, Range 64 East, Sections 6, 7, 18 and 19

The project area is within Fire Regime Group III, and FRCC 3. Monitoring data shows minimal understory forbs and grasses with an over-abundance of sagebrush within the area. The area provides nesting habitat for sage grouse, yearlong habitat for elk, and also provides habitat for mule deer during the fall and winter. There is a need to improve FRCC to within natural historic ranges, to improve habitat conditions for wildlife species, and to improve ecological site conditions.

Key components of sage grouse habitat include adequate canopy cover of tall grasses and medium height shrubs for nesting, abundant forbs and insects for brood rearing and availability of riparian herbaceous species for late growing season forage (USDI-BLM, 2004). The project area includes approximately 1,000 acres of habitat which needs to be restored to improve the health, vigor and production of Wyoming big sagebrush (*Artemisia tridentata wyomingensis*) communities and the associated perennial grass and forb understory vegetation. Vegetative

restoration is needed to improve the overall habitat conditions for sagebrush obligate species such as sage grouse and other wildlife species such as mule deer and elk. An improvement in the ecological condition would improve soil protection, soil stability, rangeland health and other watershed values over the long term.

Resource management goals include the following:

- Create a fuel break to reduce potential damage from catastrophic fire and improve Fire Regime Condition Class (FRCC) from current rating of FRCC 3 to FRCC 1;
- Create a mosaic pattern within 1,000 acres of Wyoming big sagebrush (ARTRW) habitat and promote the recruitment and establishment of young sagebrush plants, perennial grasses and forbs in order to improve ecological site conditions, wildlife habitat, soil protection and stability and other watershed values.

Resource management objectives include the following:

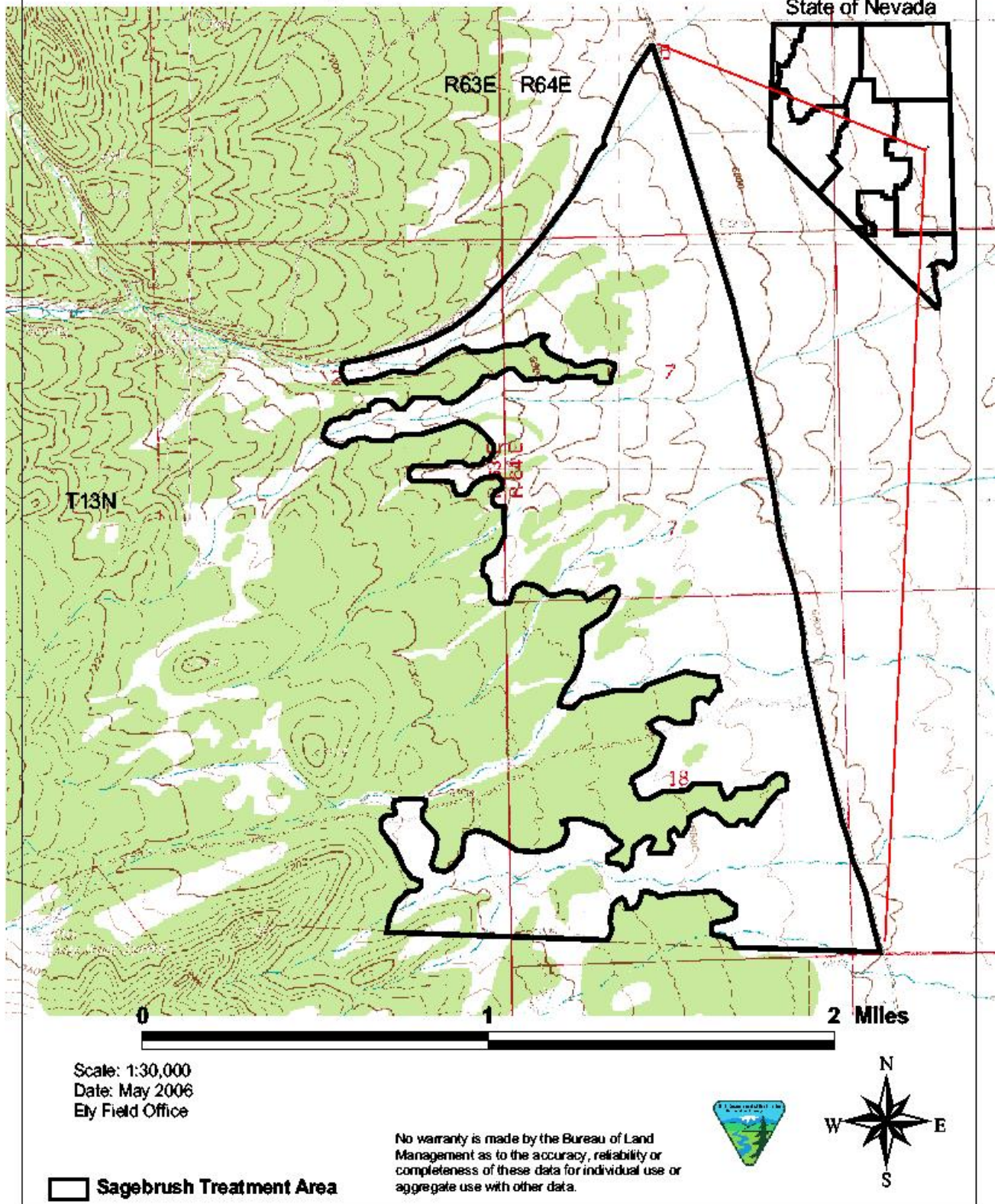
Short Term (immediately post treatment)

- Reduce the canopy cover of Wyoming big sagebrush (ARTRW) by approximately 50% on up to 1,000 acres within the project area parameter.

Long Term (5 to 10 years post treatment)

- Increase the percent composition by weight (lbs/acre) of perennial grasses and forbs to a minimum of 75% of the ecological site potential within 5 to 10 years following completion of the treatment. The potential percent composition by weight (lbs/acre) is approximately 50% grasses, 5% forbs and 45% shrubs.

Map 1 - Williams Creek Sagebrush Restoration Project



The proposed action is to conduct mechanical treatments on approximately 1,000 acres of sagebrush habitat in Fire Regime Group III, and Fire Regime Condition Class (FRCC) 3. The mechanical treatments would be conducted through the use of a rubber wheeled tractor or a dozer to guide and operate a brush mower, a Dixie harrow, a drill seeder and a broadcast seeder. Treatment methods would be conducted in a strip pattern to provide a mosaic in order to maintain vegetative age-class diversity and to maintain thermal and protective cover for wildlife species. The treatment areas would be seeded with a certified weed free seed mixture comprised of native herbaceous species endemic to the site. Drill seeding would be the method used on those sites treated with a mower. Broadcast seeding would be conducted on sites prior to treatment with the Dixie harrow.

All treatment actions would be in accordance with procedures specified in the Memorandum of Understanding between the Nevada Department of Wildlife and the Bureau of Land Management relating to the *Western States Sage Grouse Guidelines*.

All treatment actions would comply with the *Ely District Policy Management Actions for the Conservation of Migratory Birds* (Instruction Memorandum NV-040-2001-02). The entire treatment area would be surveyed for nesting birds if treatments are conducted during the migratory bird nesting period. Any nests found in the area would be flagged and avoided.

A cultural survey of the treatment area would be conducted and appropriate site documentation would be completed prior to the implementation of treatment methods. Eligible cultural resources would be avoided or impacts would be mitigated, as necessary, before treatment methods commence.

No new roads or trails would be created. Off-road travel would occur in order to facilitate the use of the brush mower, Dixie harrow, drill seeder and broadcast seeder. Off-road travel would be limited to that necessary in order to safely and practically achieve resource management objectives.

The Ely District Noxious Weed Prevention Schedule and Policy would be adhered to during treatment implementation. Recommendations contained in the *Risk Assessment for Noxious Weeds* (Appendix 1) would be followed.

Pre-treatment inventory data has been collected on the project area in order to establish baseline vegetative conditions. Post-treatment monitoring would be conducted at the existing study location and at new locations established within the treatment areas. All inventory and monitoring techniques would use BLM approved methods. Monitoring would be conducted in order to determine as to whether or not resource management objectives have been met.

Livestock grazing would be excluded from the project area for a minimum of two complete growing seasons through a "Livestock Closure Agreement" with the permittee. After the closure period, an interdisciplinary team would conduct a review of monitoring data and resource objectives in order to determine if and when livestock grazing should be allowed in the project area. If environmental factors prevent the establishment of vegetation within the treatment areas

following the two complete growing season rest period, an interdisciplinary team would coordinate with the permittee in order to determine an appropriate grazing regime.

Mowing operations would tentatively be scheduled to begin during the summer of 2006, followed by drill seeding during the late summer or fall of 2006. Dixie harrow operations would begin during the late summer or fall of 2006, immediately preceded by broadcast seeding. Signs would be placed on the boundaries of the project area informing the public to remain on existing roads and trails, and to discourage off road travel within the project area.

The treatments listed above may also be implemented in future years in order to maintain project resource management objectives.

Plan Conformance

The proposed action is not specifically identified in the Egan Resource Management Plan (RMP), but it is in conformance with approved decisions of the plan. The proposed action is in conformance with "Resource Management Decisions" and "Standard Operating Procedures" in the Egan RMP Record of Decision (ROD) which was approved in 1987.

Resource Management Decisions (from Egan RMP)

All vegetation will be managed for those successional stages which would best meet the objective of this proposed plan (page 19).

Standard Operating Procedures (from Egan RMP)

Alteration of sagebrush areas either through application of herbicides, prescribed burning or by mechanical means will be in accordance with procedures specified in the Memorandum of Understanding between the Nevada Department of Wildlife and the Bureau of Land Management relating to the *Western States Sage Grouse Guidelines* (page 30).

The proposed action is also consistent with the following:

Standards and Guidelines for Nevada's Northeastern Great Basin

White Pine County Public Land Use Plan (May 1998) *"Identify habitat needs for wildlife species, such as adequate forage, water, cover, etc. and provide for those needs so as to, in time, attain appropriate population levels compatible with other multiple uses as determined by public involvement."*

White Pine County Elk Management Plan (March 1999) The plan was developed by a Technical Review Team (TRT) that consisted of representatives from the United States Forest Service (USFS), the Bureau of Land Management (BLM), the National Park Service (NPS), the Natural Resources Conservation Service (NRCS), Nevada Division of Wildlife (NDOW), sportsmen, ranchers, general public, conservationists and the Goshute Indian Tribe. The plan identified

vegetation conversion projects by NDOW management units that would improve wildlife habitat by creating a more diverse mixture of grasses, forbs and shrubs.

The project also meets the goals and is consistent with the Healthy Forest Initiative (2002).

The proposed action was designed in conformance with all bureau standards and incorporates appropriate guidelines for mechanical treatments and desired vegetation conditions.

Compliance with the National Environmental Policy Act

The proposed action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 2, Appendix 1, 1.12. This determination is based on the following rationale: the project includes mechanical treatments of 1,000 acres or less, and does not involve herbicide treatment or construction of new roads or infrastructure, and is not within wilderness or wilderness study areas. The project area has been rated in Fire Regime Group III, and FRCC 3. The project was also identified through an interdisciplinary scoping process and was developed in coordination with interested public.

The application of this categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having affects which may significantly effect the environment. As shown in the checklist of the categorical exclusion document, none of the exceptions as listed in 516 DM Chapter 2, Appendix 2 apply to this project.

The project size, proposed method of implementation and associated mitigation measures, and ecological site potential were considered during the design of project activities. The proposed action involves the lowest risk treatments for the targeted vegetation communities. Due to the above considerations and project design, there will be no potential for significant effects to the human environment by implementing the proposed action.

Persons and Agencies Consulted

A letter describing the project proposal was mailed to groups and individuals on May 3, 2006 who have expressed an interest in participating in habitat improvement and hazardous fuels reduction projects, as well as State and Federal wildlife agencies. The project proposal was also posted on the Ely Field Office website at <http://www.nv.blm.gov/ely> on May 5, 2006. The public scoping period ended on May 19, 2006. The project was also presented at the tribal coordination meeting held at the Ely Field Office on May 18, 2006. Press releases were issued to local radio and newspaper media at the beginning of the scoping period. During the scoping period, comments were received from The Nevada Division of Forestry (NDF) and the Paiute Indian Tribe of Utah. The NDF stated they were supportive of the project proposal, and asked to remain on the project mailing list and requested a copy of the categorical exclusion document. The Paiute Indian Tribe of Utah asked to be informed of any changes or updates to the project and informed of any cultural information found in the project area.

The categorical exclusion was posted on the Ely Field Office website on May 26, 2006 for a public comment period, which ended on June 12, 2006. The categorical exclusion was also

mailed to NDF on May 30, 2006. During the public comment period, comments and questions were received from Western Watersheds Project. Many questions and comments were in regards to the resource conditions of soils, vegetation, riparian and wildlife habitat, other land uses in the area, economic value of pine nuts in the project area, and projected cost of implementing the project. Questions and comments relevant to the proposed project were considered and incorporated into the development of the proposed action, as appropriate.

Informal discussions with the Nevada Department of Wildlife (NDOW) also occurred during the scoping and public comment period. NDOW stated they were supportive of the project, but requested that the treatment design be conducted in a mosaic fashion to allow for diversity of sagebrush structure and age class distribution.

Based on comments received during the public scoping and comment periods, the project boundary was changed from the original boundary developed during the scoping period. The boundary was moved to avoid potential issues associated with off-highway-vehicle use.

Decision and Rationale on Action

I have decided to implement the proposed action and mitigation measures as identified above under the *Purpose and Need for the Action and Description of Proposed Action*. These actions meet the need for the action. In addition, I have reviewed the plan conformance statement and have determined that the proposed action is in conformance with the approved Egan Resource Management Plan and that no further environmental analysis is required.

Implementation Date

This project will be implemented on or after July 15, 2006 when weather conditions permit.

Stephanie Connolly
Field Manager

Date

Administrative Review or Appeal Opportunities

Within 30 days of receipt of this decision, parties who are adversely affected and believe it is incorrect have the right to appeal to the Department of the Interior Board of Land Appeals, Office of the Secretary, in accordance with regulations at Title 43 Code of Federal Regulations (CFR) Part 4. If an appeal is taken, follow procedures outlined in the attached form "Information on taking appeals to the Board of Land Appeals". An appeal should be in writing and specify reasons, clearly and concisely, as to why the decision is in error. Please provide this office with a copy of the Statement of Reasons. Also, within 30 days of receipt of this decision, appellants have a right to file a petition for stay (suspension) of the decision together with an appeal, in accordance with regulations at 43 CFR 4.21. The petition must be served upon the same parties identified in items 2, 3 and 4 of the attached form "Information on taking appeals to the Board of

Land Appeals". The appellant has the burden of proof to demonstrate that the stay should be granted.

Contact Person

For additional information concerning this decision, please contact:

Jeff Fenton
Fire Planner
Ely Field Office
HC 33 Box 33500
Ely, NV 89301
(775) 289-1800

References Cited:

USDI-BLM, 2004. National Sage Grouse Habitat Conservation Strategy.

**ELY DISTRICT
CATEGORICAL EXCLUSION (CX)
REVIEW AND APPROVAL**

Team Leader Jeff Fenton Date May 30, 2006

Name of Proposed Action Williams Creek Sagebrush Restoration Project

CX Number CX-NV-040-06-022 Project or Serial Number JD38

Categorical Exclusion Reference

516 Departmental Manual 1.12 - Hazardous fuels reduction activities using prescribed fire not to exceed 4,500 acres and mechanical methods for crushing, piling, thinning, pruning, cutting, chipping, mulching and mowing not to exceed 1,000 acres. Such activities shall be limited to areas (1) in wildland-urban interface and (2) Condition Classes 2 or 3 in Fire Regime Groups I, II or III outside of the wildland-urban interface; shall be identified through a collaborative framework as described in "*A Collaborative Approach for Reducing Wildland Fire Risks to Communities and the Environment 10-year Comprehensive Strategy Implementation Plan*"; shall be conducted consistent with agency and Departmental procedures and applicable land and resource management plans; shall not be conducted in wilderness areas or impair the suitability of wilderness study areas for preservation as wilderness; shall not include the use of herbicides or pesticides or the construction of new permanent roads or other new permanent infrastructure; and may include the sale of vegetative materials if the primary purpose of the activity is hazardous fuels reduction.

Description of Proposed Action and Standard Operating Procedures

The proposed action is to conduct mechanical treatments on approximately 1,000 acres of sagebrush habitat in Fire Regime Group III, and Fire Regime Condition Class (FRCC) 3. This is needed to reduce potential damage from catastrophic fire and to restore the health, vigor and production of Wyoming big sagebrush (*Artemisia tridentata wyomingensis*) communities and the associated perennial grass and forb understory vegetation. The area identified for treatment occurs in South Steptoe Valley in the Williams Creek area along the east side of the Egan Range (Map 1). The area lies within the Williams Creek Native Pasture of the White Rock Allotment.

The project would improve habitat conditions for species such as sage grouse, mule deer and elk, improve ecological site conditions, and reduce potential for catastrophic fire. The primary objective is to open mature, even-aged stands of Wyoming big sagebrush with a dense canopy cover in order to enhance the recruitment and establishment of young sagebrush plants, perennial grasses and forbs. Soil protection, soil stability, rangeland health and other watershed values would be improved over the long term. The proposed project treatment area (Map 1) is located at the following legal land descriptions:

Township 13 North, Range 63 East, Sections 12 and 13
Township 13 North, Range 64 East, Sections 6, 7, 18 and 19

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The mechanical treatments would be conducted through the use of a rubber wheeled tractor or a dozer to guide and operate a brush mower, a Dixie harrow, a drill seeder and a broadcast seeder. Treatment methods would be conducted in a strip pattern to provide a mosaic in order to maintain vegetative age-class diversity and to maintain thermal and protective cover for wildlife species. The treatment areas would be seeded with a certified weed free seed mixture comprised of native herbaceous species endemic to the site. Drill seeding would be the method used on those sites treated with a mower. Broadcast seeding would be conducted on sites prior to treatment with the Dixie harrow.

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A cultural survey of the treatment area would be conducted and appropriate site documentation would be completed prior to the implementation of treatment methods. Eligible cultural resources would be avoided or impacts would be mitigated, as necessary, before treatment methods commence.

No new roads or trails would be created. Off-road travel would occur in order to facilitate the use of the brush mower, Dixie harrow, drill seeder and broadcast seeder. Off-road travel would be limited to that necessary in order to safely and practically achieve resource management objectives.

The Ely District Noxious Weed Prevention Schedule and Policy would be adhered to during treatment implementation. Recommendations contained in the *Risk Assessment for Noxious Weeds* (Appendix 1) would be followed.

Pre-treatment inventory data has been collected on the project area in order to establish baseline vegetative conditions. Post-treatment monitoring would be conducted at the existing study location and at new locations established within the treatment areas. All inventory and monitoring techniques would use BLM approved methods. Monitoring would be conducted in order to determine as to whether or not resource management objectives have been met.

Livestock grazing would be excluded from the project area for a minimum of two complete growing seasons through a "Livestock Closure Agreement" with the permittee. After the closure period, an interdisciplinary team would conduct a review of monitoring data and resource objectives in order to determine if and when livestock grazing should be allowed in the project area. If environmental factors prevent the establishment of vegetation within the treatment areas following the two complete growing season rest period, an interdisciplinary team would coordinate with the permittee in order to determine an appropriate grazing regime.

Mowing operations would tentatively be scheduled to begin during the summer of 2006, followed by drill seeding during the late summer or fall of 2006. Dixie harrow operations would begin during the late summer or fall of 2006, immediately preceded by broadcast seeding.

Williams Creek Sagebrush Restoration Project

Signs would be placed on the boundaries of the project area informing the public to remain on existing roads and trails, and to discourage off road travel within the project area.

The treatments listed above may also be implemented in future years in order to maintain project resource management objectives.

Resource Management Goals and Objectives

Resource management goals include the following:

- Create a fuel break to reduce potential damage from catastrophic fire and improve Fire Regime Condition Class (FRCC) from current rating of FRCC 3 to FRCC 1;
- Create a mosaic pattern within 1,000 acres of Wyoming big sagebrush (ARTRW) habitat and promote the recruitment and establishment of young sagebrush plants, perennial grasses and forbs in order to improve ecological site conditions, wildlife habitat, soil protection and stability and other watershed values.

Resource management objectives include the following:

Short Term (immediately post treatment)

- Reduce the canopy cover of Wyoming big sagebrush (ARTRW) by approximately 50% on up to 1,000 acres within the project area parameter.

Long Term (5 to 10 years post treatment)

- Increase the percent composition by weight (lbs/acre) of perennial grasses and forbs to a minimum of 75% of the ecological site potential within 5 to 10 years following completion of the treatment. The potential percent composition by weight (lbs/acre) is approximately 50% grasses, 5% forbs and 45% shrubs.

Monitoring Data

The resource management objectives outlined above are based on and supported by the following monitoring data and associated ecological site data:

Study Site 02, for the Williams Creek Native Pasture of the White Rock Allotment, is located near the northern end of the project area and occurs within the Loamy Ecological Site (8-10" PZ) (Map 2). The potential native vegetation by weight (lbs/acre), based on the USDA-NRCS Ecological Site Guide (July 2003), is 50% grasses, 5% forbs and 45% shrubs (refer to Table 1).

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A Range Inventory Worksheet was completed in July of 2005. Table 1 reflects the current vegetative composition as recorded on the Range Inventory Worksheet:

Table 1

Vegetation Type	% Composition by Weight (lbs/acre)
Grasses ¹	1.3
Forbs ²	Trace
Shrubs ³	98.7

¹ Sandberg bluegrass (*Poa secunda*), western wheatgrass (*Agropyron smithii*), bottlebrush squirreltail (*Sitanion hystrix*), Indian ricegrass (*Oryzopsis hymenoides*)

² phlox (*Phlox* sp.), mustard (*Brassica* sp.)

³ Wyoming big sagebrush (*Artemisia tridentata wyomingensis*), Douglas rabbitbrush (*Chrysothamnus viscidiflorus*).

A Line Intercept Form was completed in June of 2005. Table 2 reflects vegetative cover as recorded on the Line Intercept Form.

Table 2

Vegetation Type	% Composition by Canopy Cover
Grasses ¹	3.5
Forbs ²	9.6
Shrubs ³	86.9

¹ Sandberg bluegrass (*Poa secunda*), western wheatgrass (*Agropyron smithii*), bottlebrush squirreltail (*Sitanion hystrix*), Indian ricegrass (*Oryzopsis hymenoides*), sedge (*Carex* sp.)

² phlox (*Phlox* sp.), mustard (*Brassica* sp.)

³ Wyoming big sagebrush (*Artemisia tridentata wyomingensis*), Douglas rabbitbrush (*Chrysothamnus viscidiflorus*).

Cheatgrass (*Bromus tectorum*) and Utah juniper (*Juniperus osteosperma*) are also establishing on sagebrush ecological sites within the project area.

"As ecological condition declines, Wyoming big sagebrush and Douglas rabbitbrush increase, while Indian ricegrass and needle and thread grass decrease. Various annual species are likely to invade this site. Utah juniper readily invades this site where it occurs adjacent to this woodland" (2003 USDA-NRCS Ecological Site Guide, Page 2)

Table 3 - Major plant species and ranges in plant species composition for the Loamy Ecological Site in the 8-10" precipitation zone.

Vegetation Type	Common (<i>Scientific</i>) Name	% Species Composition
Primary Grasses	Indian ricegrass (<i>Oryzopsis hymenoides</i>)	20-30
	needle and thread (<i>Stipa comata</i>)	10-20
	bottlebrush squirreltail (<i>Sitanion hystrix</i>)	2-8
	Sandberg bluegrass (<i>Poa secunda</i>)	2-5
Other Grasses	western wheatgrass (<i>Agropyron smithii</i>)	2-8 ^A
	Great Basin wildrye (<i>Elymus junceus</i>)	
Forbs	globemallow (<i>Sphaeralcea</i>)	2-5
Other Forbs	Phlox (Phlox)	2-5 ^B
	paintbrush (<i>Castilleja</i>)	
Shrubs/Trees	Wyoming big sagebrush (<i>Artemisia tridentata wyomingensis</i>)	25-35
	Douglas rabbitbrush (<i>Chrysothamnus viscidiflorus</i>)	2-5
Other Shrubs/Trees	fourwing saltbush (<i>Atriplex canescens</i>)	5-10 ^C
	Nevada ephedra (<i>Ephedra nevadensis</i>)	
	spiny hopsage (<i>Grayia spinosa</i>)	
	Douglas rabbitbrush (<i>Chrysothamnus viscidiflorus</i>)	
	Utah juniper (<i>Juniperus osteosperma</i>)	

^A Allow no more than 3% of each species of this group and no more than 8% in aggregate

^B Allow no more than 2% of each species in this group and no more than 5% in aggregate

^C Allow no more than 3% of each species in this group and no more than 10% in aggregate

Consultation and Coordination

A letter describing the project proposal was mailed to groups and individuals on May 3, 2006 who have expressed an interest in participating in habitat improvement and hazardous fuels reduction projects, as well as State and Federal wildlife agencies. The project proposal was also posted on the Ely Field Office website at <http://www.nv.blm.gov/ely> on May 5, 2006. The public scoping period ended on May 19, 2006. The project was also presented at the tribal coordination meeting held at the Ely Field Office on May 18, 2006. Press releases were issued to local radio and newspaper media at the beginning of the scoping period. During the scoping period, comments were received from The Nevada Division of Forestry (NDF) and the Paiute Indian Tribe of Utah. The NDF stated they were supportive of the project proposal, and asked to remain on the project mailing list and requested a copy of the categorical exclusion document. The Paiute Indian Tribe of Utah asked to be informed of any changes or updates to the project and informed of any cultural information found in the project area.

The categorical exclusion was posted on the Ely Field Office website on May 26, 2006 for a public comment period, which ended on June 12, 2006. The categorical exclusion was also mailed to NDF on May 30, 2006. During the public comment period, comments and questions were received from Western Watersheds Project. Many questions and comments were in regards to the resource conditions of soils, vegetation, riparian and wildlife habitat, other land uses in the area, economic value of pine nuts in the project area, and projected cost of implementing the project. Questions and comments relevant to

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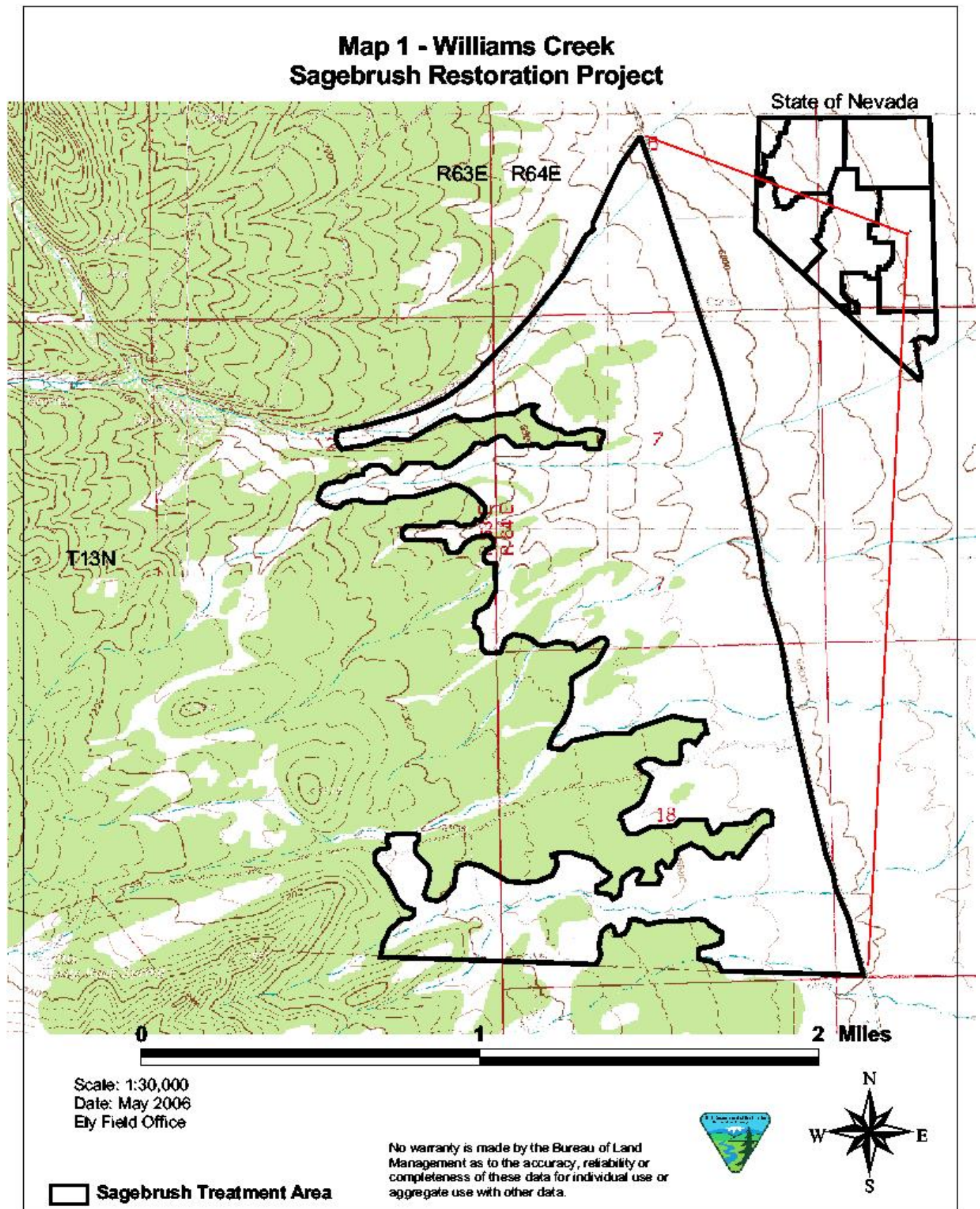
the proposed project were considered and incorporated into the development of the proposed action as appropriate.

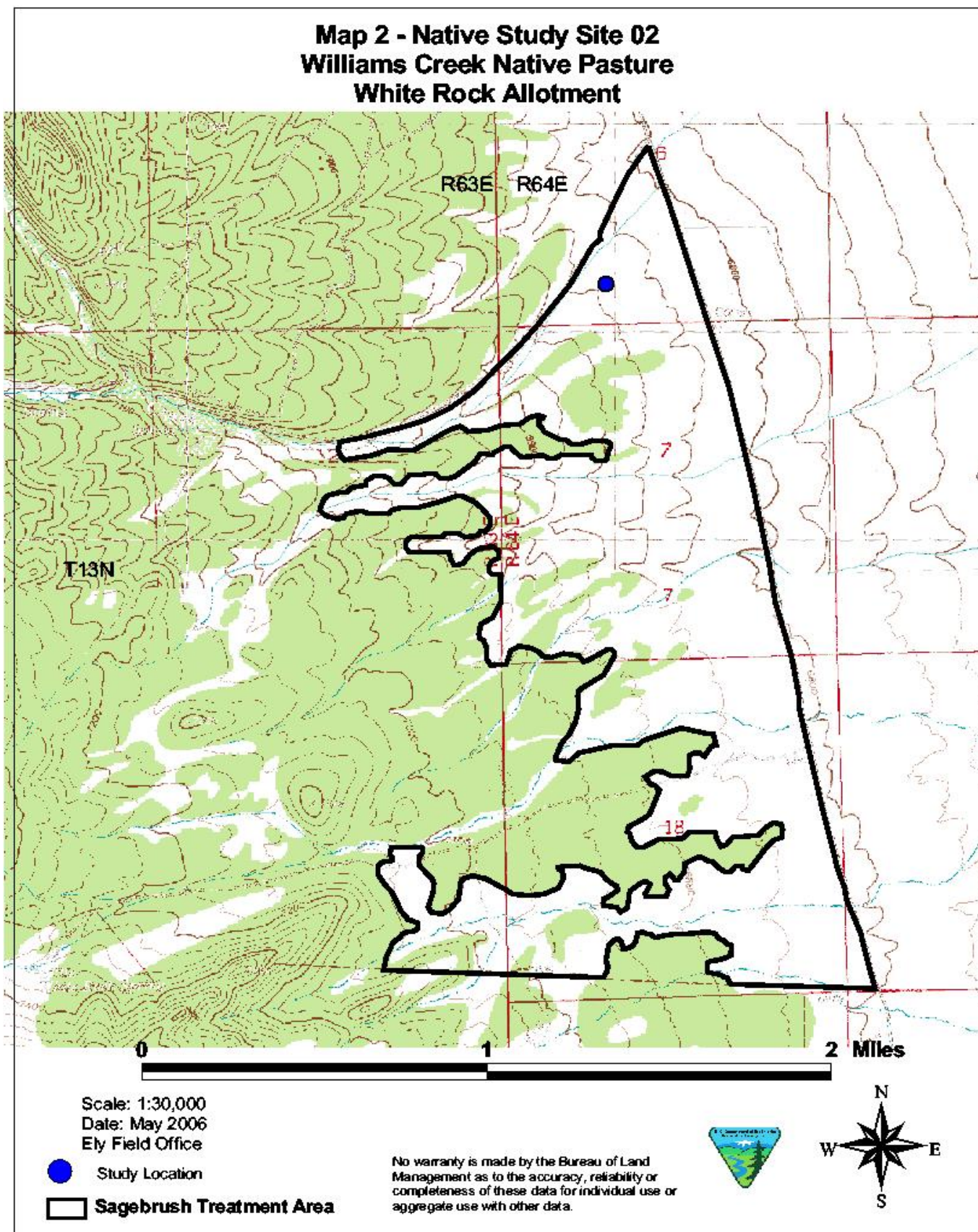
Informal discussions with the Nevada Department of Wildlife (NDOW) also occurred during the scoping and public comment period. NDOW stated they were supportive of the project, but requested that the treatment design be conducted in a mosaic fashion to allow for diversity of sagebrush structure and age class distribution.

Based on comments received during the public scoping and comment periods, the project boundary was changed from the original boundary developed during the scoping period. The boundary was moved to avoid potential issues associated with off-highway-vehicle use.

The specialists listed below were involved in reviewing the Proposed Action for potential impacts and for exceptions to National Environmental Policy Act Categorical Exclusions:

NAME	RESOURCES ASSIGNED
Jeff Fenton	Fire Management
Mark Lowrie	Rangelands, Invasive/Non-Native Species
Gary Medlyn	Soil, Water, Air, Floodplains, Riparians/Wetlands
Kurt Braun	Archeological, Paleontological, Historical Resources
Brad Pendley	Wildlife, Migratory Birds, Special Status Species
Elvis Wall	Tribal Coordination
Matt Wilkin	Wastes (Hazardous and Solid)
Dave Jeppesen	Recreation
Sue Baughman	Environmental Coordinator





Screening for Exceptions to Categorical Exclusions

The following exceptions apply to actions being considered as categorically excluded. Environmental documents must be prepared if any of these exceptions apply. Place an "X" in appropriate box. Would the proposed action:	Yes	No
1. Have significant adverse effects on public health or safety?		X
2. Have adverse effects on such unique geographic characteristics as historic or cultural resources, park, recreation or refuge lands, wilderness areas, wild or scenic rivers, sole or principal drinking water aquifers, prime farmlands, wetlands, floodplains, or ecologically significant or critical areas, including those listed on the Department's National Register of Natural Landmarks?		X
3. Have highly controversial environmental effects?		X
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks?		X
5. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects?		X
6. Be directly related to other actions with individually insignificant but cumulatively significant environmental effects?		X
7. Have adverse effects on properties listed or eligible for listing on the National Register of Historic Places?		X
8. Have adverse effects on species listed or proposed to be listed on the List of Endangered or Threatened Species, or have adverse effects on designated Critical Habitat for these species?		X
9. Require compliance with Executive Order 11988 (Floodplain Management), Executive Order 11990 (Protection of Wetlands), or the Fish and Wildlife Coordination Act?		X
10. Threaten to violate a Federal, State, local or tribal law or requirement imposed for the protection of the environment?		X

Findings

Based on review of the proposal and the ten exceptions listed above, this action qualifies as a categorical exclusion and an environmental analysis is not required. The Proposed Action is in conformance with current BLM Land Use Plans.

Approving Official:

Tye Petersen, Fire Management Officer

Date

APPENDIX 1

RISK ASSESSMENT FOR NOXIOUS WEEDS

In May of 2006, a Noxious Weed Risk Assessment was completed for the Williams Creek Sagebrush Restoration project. The proposed project area is located on public lands in South Steptoe Valley in the Williams Creek area along the east side of the Egan Range in White Pine County, Nevada. The following legal land descriptions apply:

Township 13 North, Range 63 East, Sections 12 and 13
Township 13 North, Range 64 East, Sections 6, 7, 18 and 19

The project area is within the Williams Creek Pasture of the White Rock Allotment. The project area parameter includes a total of approximately 1,000 acres. The proposed project area was officially surveyed for noxious weed infestations in May of 2002 and August of 2004.

The project location occurs within Wyoming big sagebrush (*Artemisia tridentata wyomingensis*) and black sagebrush (*Artemisia nova*) ecological sites. Small amounts of invasive species such as cheatgrass (*Bromus tectorum*), Russian thistle (*Salsola* sp.) and annual mustards (*Brassica* sp.) are present within the project area, primarily along access roads.

An on-site tour and field inspection for noxious weeds and invasive species was conducted on April 18, 2006. No noxious weeds were discovered in or near the project area. Photographs of the proposed treatment area were taken during the field inspection.

Although infestations have been recorded outside the project parameter, no infestations have been recorded within the project area. The nearest location on record includes a black henbane (*Hyoscyamus niger*) infestation which occurs less than 1/8 mile outside the southeast corner of the project boundary (Map 1).

Factor 1 assesses the likelihood of noxious weed and invasive species spreading to the project area. For this project, the factor rates as Low (3) at the present time. This means that noxious weed species are present in areas adjacent to but not within the project area. Project activities can be implemented which will prevent the spread of noxious weeds into the project area.

Vegetative disturbance associated with the mowing and harrowing of sagebrush communities will create openings in the existing vegetative community which could be susceptible to noxious weed and invasive species [e.g. cheatgrass (*Bromus tectorum*)] encroachment from nearby existing infestations. The risk in the mechanical treatment areas would be mitigated by seeding native, endemic species which are capable of competing with noxious weeds and invasive species. Once established, the seeded species would provide long-term protection against future noxious weed and invasive species invasions. During project implementation, existing noxious weed infestations outside the project area would be avoided to the extent possible.

Williams Creek Sagebrush Restoration Project

Factor 2 assesses the consequences of noxious weed establishment in the project area. For this project, the factor rates as Moderate 4 at the present time. This means that there are possible adverse effects on site and possible expansion of infestations within the project area. Cumulative effects on native plant communities are likely, but limited. Some expansion of cheatgrass or other invasive species is possible. The location of roads within the vicinity of the project area has the potential for noxious weed establishment through vehicular travel. However, the successful establishment of desirable, seeded species should reduce the potential for noxious weed and invasive species establishment.

The Risk Rating is obtained by multiplying Factor 1 by Factor 2. For this project, the Risk Rating is Moderate (12) at the present time. This means that preventative management measures for the proposed project should be developed to reduce the risk of introduction or spread of noxious weeds into the area. Mitigation measures are as follows:

1. The vegetation treatment area will be seeded with desirable native species.
2. Native seed should be tested to ensure that no noxious weeds are present.
3. The project area will be monitored for at least 3 consecutive years following treatment.
4. The Rangeland Management Specialist for the White Rock Allotment will include noxious weed detection as a part of the routine monitoring of the allotment.
5. An agreement will be reached between the BLM and the grazing permittee to defer grazing on the treatment area until the new native vegetation has established or until resource management objectives have been reached.
6. The BLM will eradicate or control any small noxious weed infestations in the area. Follow-up treatments should be conducted for previously treated infestations.
7. Noxious weed suppression measures would include reporting the weeds to the Ely Field Office Noxious Weed Coordinator in order to have the infestations incorporated into the noxious weed treatment schedule as soon as possible.
8. Vehicles and other equipment used for implementation of the project should be washed to remove any vegetation and potential noxious weed and invasive species parts.
9. A no treatment buffer area of at least 25 feet would be implemented on both sides of well traveled roads to prevent possible establishment of invasive or noxious weed species.

Reviewed by:

/s/ Mark Lowrie

Mark Lowrie
Rangeland Management Specialist
BLM Noxious Weed Coordinator

5/17/06

Date



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Ely Field Office
HC 33 Box 33500 (702 No. Industrial Way)
Ely, Nevada 89301-9408
<http://www.nv.blm.gov/ely>



INFORMATION ON TAKING APPEALS TO THE BOARD OF LAND APPEALS

DO NOT APPEAL UNLESS

- 1) This decision is adverse to you **AND** 2) You believe it is incorrect

IF YOU APPEAL, THE FOLLOWING PROCEDURES MUST BE FOLLOWED:

1. NOTICE OF APPEAL:

Within 30 days of receipt of the decision, file a *NOTICE OF APPEAL* in the office which issued this decision (see Title 43 Code of Federal Regulations [43 CFR] sec. 4.411 and 4.413). You may state your reasons for appealing, if you desire.

2. WHERE TO FILE NOTICE OF APPEAL:

Bureau of Land Management
Ely Field Office and a copy to
HC 33 Box 33500
Ely, NV 89301

Office of the Regional Solicitor,
Pacific Southwest Region
U.S. Department of Interior
2800 Cottage Way, Room E-2753
Sacramento, CA 95825-1890

3. STATEMENT OF REASONS:

Within 30 days after filing the *NOTICE OF APPEAL*, file a **COMPLETE** statement of reasons why you are appealing. This must be filed with the:

Board of Land Appeals
Office of Hearings and Appeals
801 North Quincy Street
Arlington, VA 22203

(See 43 CFR secs. 4.412 and 4.413). If you fully stated your reasons for appealing when filing the *NOTICE OF APPEAL*, no additional statement is necessary.

4. ADVERSE PARTIES:

Within 15 days after each document is filed, each adverse party named in the decision and the Regional Solicitor must be served with a copy of:

- A. THE *NOTICE OF APPEAL*
- B. THE STATEMENT OF REASONS, AND
- C. ANY OTHER DOCUMENT FILED (See 43 CFR sec. 4.413)

5. PROOF OF SERVICE:

Within 15 days after any document is served on an adverse party, file proof of that service with the BOARD OF LAND APPEALS, at the above address. This may consist of a certified or registered mail "return receipt card" signed by the adverse party (see 43 CFR Sec. 4.402). Be certain that all communications are identified by serial number of the case being appealed.

UNLESS THESE PROCEDURES ARE FOLLOWED YOUR APPEAL WILL BE SUBJECT TO DISMISSAL (See 43 CFR Sec. 4.402). Be certain that all communications are identified by serial number of the case being appealed.

NOTE: A DOCUMENT IS NOT FILED UNTIL IT IS ACTUALLY RECEIVED IN THE PROPER OFFICE (See 43 CFR Sec. 4.401(a)).